



# Howard Planning and Zoning Minutes



## MINUTES HOWARD COUNTY PLANNING & ZONING October 15, 2014

A meeting of the Howard County Planning & Zoning Commission was convened in Open and Public session on the 15<sup>th</sup> of October, 2014 in the Assembly Room of the Howard County Courthouse, St. Paul, Nebraska.

Chairman Terry Spilinek called the meeting to order at 8:00 p.m. The Open Meeting Act is posted in the rear of the room. Administrator Klinginsmith read the Notice of Meeting. A proof of publication is filed at the Howard County Clerk's office.

Roll call showed 6 members present: Daryl Anderson, Jeff Christensen, Ken Kozisek, Jack Reimers, Dave Sack, and Terry Spilinek. Those absent were: Randy Kauk and Ron Kulwicki. Also present were Cherri Klinginsmith, Planning & Zoning Administrator, Molly Tebo, Zoning Secretary, and members of the public including: Dan Rasmussen, Michele Rasmussen, and Jay Petersen.

The Agenda and Minutes were e-mailed to the Board Members prior to the meeting. A motion was made by Jeff Christensen and seconded by Ken Kozisek to approve the minutes of the September 17, 2014 meeting. The motion carried on unanimous voice vote.

At 8:05 p.m. the public hearing regarding the Conditional Use Permit application by Jay and Tyler Petersen for developing a Class I Feedlot located in the NW  $\frac{1}{4}$  of Section 27, Township 16N, Range 10W was open. Chairman Spilinek stated that since the Petersen's did not have all their documentation available to present to the board members, they would not be able to act on it so the hearing will need to be rescheduled.

At 8:10 p.m. a discussion was held regarding new farm feedlots. Our office received an application for two new farm feedlots (Dixson Feedlot 3-D Lot and Dixson Feedlot-Brian's Lot). The commissioners asked Cherri to call the Department of Environmental Quality (DEQ) to verify that the new farm feedlots are not an expansion of the other existing lots. DEQ's definition of a farm feedlot (in terms of number of animals) is different than our office. If DEQ considers them one feedlot then we would need to do a new odor footprint and have these lots reclassified as a Class I Feedlot with a public hearing. It was determined that since the feedlots are owned by two separate entities, they cannot be combined.

At 8:25 p.m. a discussion was held regarding odor footprint waivers. This waiver would be for residences and feedlot owners to sign stating they are okay with their residence being within an Odor Footprint. Cherri states she knows of only one county that has a Waiver of Distance. The board members want to know if there are any other counties that have a waiver and if so, has the waiver ever been challenged in court. Cherri will contact the Nebraska Department of Agriculture to see if they are aware of any other counties besides Colfax that have waivers included in their zoning regulations.

At 8:40 p.m. a discussion was held regarding a Conservation Easement for Government Lot 10, W  $\frac{1}{2}$  of SW  $\frac{1}{4}$  of Section 1, Township 16, Range 12W. Dan and Michele Rasmussen want to put approximately 65 acres into a Wetland Reserve Conservation Easement. Regulations state that this request needs to be brought before the Zoning Board because assessment values will change. Even though this request does not require a public hearing, a motion was made by Jack Reimers to recommend that said request be approved by the commissioners. Jeff Christensen seconded the motion and the motion carried by unanimous voice vote 6-0.



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At 8:50 p.m., a motion was made by Jeff Christensen and seconded by Dave Sack to adjourn. The motion carried by unanimous voice vote. The next meeting will be scheduled for November 12, 2014.

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Molly Tebo, Secretary